



UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

CNA INSURANCE COMPANY LIMITED

Plaintiff(s)

MERCER TRANSPORTATION CO., INC. *against*

Defendant(s)

Index No. 07 civ9919(BSJ)

**AFFIDAVIT OF  
 SERVICE OF SUMMONS  
 (AND COMPLAINT)**

STATE OF NEW YORK, COUNTY OF New York

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at 1026 East 15th Street, Brooklyn, New York, N.Y 11230

That on December 19th 2007 at 12:12 P.M. all Eight Avenue 13th Floor New York 10011

deponent served the within summons, and complaint on CT CORPORATION AGENT AUTHORIZED TO ACCEPT SERVICE defendant therein named,

INDIVIDUAL

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as

1. ☐

said defendant therein.

CORPORATION

a FOREIGN

corporation, by delivering thereat a true copy of each to Nora Dindyal

2. ☒

personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be General Agent thereof.

SUITABLE AGE PERSON

by delivering thereat a true copy of each to

a person of suitable age

3. ☐

and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

4. ☐

MAILING TO  
 RESIDENCE  
 USE WITH 3 OR 4

5A. ☐

MAILING TO  
 BUSINESS  
 USE WITH 3 OR 4

5B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited

said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
 USE WITH  
 1, 2, OR 3

☐ Male ☐ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☒ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☒ 5'0"-5'3" ☒ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☒ 36-50 Yrs. ☐ 5'4"-5'8" ☐ 131-160 Lbs.  
☒ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN  
 NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
 SERVICE

☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

19th Day of December 2007  
 Ernesto V. Luzzatto

ERNESTO V. LUZZATTO  
 Notary Public, State of New York  
 No. 30-02LU4610986  
 Qualified in Nassau County  
 Certificate Filed in New York County  
 Commission Expires May 31, 2011

Robert Blum

PRINT NAME BENEATH SIGNATURE

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